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Datatreasury Corporation v. Small Value Payments Company

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TC 2700 MAIL ROOM

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**SUBMISSION OF TERMINAL DISCLAIMER**

Applicant: Claudio R. BALLARD et al.

Group Art Unit: 2746

Application No.: 09/081,012

Examiner: S. Cangialosi

Filed: May 19, 1998

Att'y Dkt No.: 2000976-0012

Title: REMOTE IMAGE CAPTURE WITH  
CENTRALIZED PROCESSING  
AND STORAGE**VIA EXPRESS MAIL  
LABEL NO.: EJ262383950US**Assistant Commissioner for Patents  
Washington, D.C. 20231

July 15, 1999

TC 2800 MAIL ROOM

Sir:

Please find attached, the following documentation:

- A Terminal Disclaimer to Obviate Double Patenting Rejection Over a Prior Patent;
- Check Number 647708 in the amount of \$55.00;
- Certificate of Express Mail; and
- Self-address stamped return Post Card.

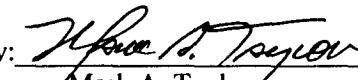
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Should any additional fees are required by this paper, the Commissioner is hereby authorized to charge additional fees that may be required to deposit account No. 13-0437.

Should any questions arise concerning the information attached hereto, please contact the undersigned attorney at the telephone number listed below. Favorable consideration is respectfully requested.

Respectfully Submitted,

By:   
Mark A. Taylor  
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<b>TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT</b>		Docket Number (Optional) <b>POLY MAIL ROOM 2000976-0012</b>
<p>In re Application of: <b>Claudio R. Ballard</b>          Application No. <b>09/081,012</b>          Filed: <b>May 18, 1998</b>          For: <b>REMOTE IMAGE CAPTURE WITH CENTRALIZED PROCESSING AND STORAGE</b></p> <p>The owner*, ...CSP Holdings,... LLC of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,910,988. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <p><u>Mark A. Taylor</u> Signature Mark A. Taylor, Reg. No. 35,706 Typed or printed name</p> <p><b>TC 2800 JUL 23 1999 ALL ROOM</b></p> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included.</p> <p>*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.</p>		

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